

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARVELL FIELDS and  
SAMUEL STARKEY,

Defendants.

**8:17CR242**

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 75). The Court has carefully reviewed the record in this case and finds as follows:

1. On March 23, 2018, defendant Samuel Starkey ("Starkey") pled guilty pursuant to a written Plea Agreement (Filing No. 67) to Counts I and II of the Information and admitted the Forfeiture Allegation. Count I of the Information charged Starkey with conspiracy to distribute and possess with intent to distribute marijuana, in violation of 21 U.S.C. § 846. Count II of the Information charged Starkey with knowingly using and carrying a firearm during and in relation to a drug-trafficking crime and knowingly possessing a firearm in furtherance of that crime in violation of 18 U.S.C. § 924(c)(1)(A). The Forfeiture Allegation in the Information sought the forfeiture, pursuant to 21 U.S.C. § 853, of property taken from Starkey at or about the time of his arrest on February 15, 2017, including a 2015 white Dodge Durango Citadel, VIN #1C4RDJEG9FC817787 and \$4,021 in United States currency seized from 8610 Lexington Avenue, #124, Lincoln, Nebraska on the basis that the vehicle and the currency were used in the commission of the conspiracy or were derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy.

2. On April 30, 2018, defendant Marvell Fields (“Fields”) pled guilty pursuant to a written Plea Agreement (Filing No. 73) to Count I of the Indictment and admitted the Forfeiture Allegation. Count I of the Indictment charged Fields with knowingly and intentionally conspiring to distribute and possessing with intent to distribute 100 kilograms or more of a mixture or substance containing marijuana, in violation of 21 U.S.C. § 846. The Forfeiture Allegation in the Indictment sought the forfeiture, pursuant to 21 U.S.C. § 853, of property taken from Starkey at or about the time of his arrest on February 15, 2017, including a 2015 white Dodge Durango Citadel, VIN #1C4RDJEG9FC817787 and \$4,021 in United States currency seized from 8610 Lexington Avenue, #124, Lincoln, Nebraska on the basis that the vehicle and the currency were used in the commission of the conspiracy or were derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy.

3. By virtue of their guilty pleas, Starkey and Fields forfeit their interests in the 2015 white Dodge Durango Citadel, VIN #1C4RDJEG9FC817787 and \$4,021 in United States currency and the government should be entitled to possession of said property and currency, pursuant to 21 U.S.C. § 853.

4. The government’s Motion for Preliminary Order of Forfeiture should be granted.

IT IS ORDERED:

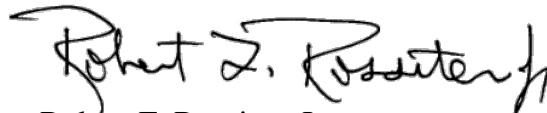
1. The government’s Motion for Preliminary Order of Forfeiture (Filing No. 75) is granted.
2. Based upon the Forfeiture Allegation of the Information and Starkey’s guilty plea, and the Forfeiture Allegation of the Indictment and Fields’s guilty plea, the government is authorized to seize the 2015 white Dodge, Durango Citadel, VIN # 1C4RDJEG9FC817787, and \$4,021 in United States currency.
3. Starkey’s and Fields’s interests in the 2015 white Dodge, Durango Citadel, VIN # 1C4RDJEG9FC817787, and \$4,021 in United States currency are hereby

forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

4. The aforementioned property and currency are to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the property and currency in such manner as the Attorney General may direct, and notice that any person, other than the Starkey and Fields, having or claiming a legal interest in any of the subject property and currency must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the property and currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject property and currency and any additional facts supporting the Petitioner's claim and the relief sought.
7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the property and currency subject to this Order as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 9th day of May, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", written in a cursive style.

Robert F. Rossiter, Jr.,  
United States District Judge